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Gp 1644 + Box Seq
WHD

September 24, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U. S. Patent Application Serial No. 08/737,904
Title: *T CELL EPITOPES OF RYEGRASS POLLEN ALLERGEN*
Applicant(s): Irwin J. Griffith, et al.
Filed: November 20, 1996
Examiner: R. Schwadron; Group Art Unit: 1644
Attorney Docket No. IMI-040CP3 (075.1 U.S.)



RECEIVED

OCT 04 1999

TECH CENTER 1600/2900

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Preliminary Amendment;
2. Response to "Notice to Comply with Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures";
3. A copy of "Notice to Comply with Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures";
4. Substitute pages 47-66 containing the Sequence Listing;
5. Diskette containing the Sequence Listing;
6. Transmittal letter for Diskette of Sequence Listing; and
7. Return receipt postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

September 24, 1999

Date

Jeanne M. DiGiorgio
Jeanne M. DiGiorgio, Reg. No. 41,710

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Jeanne M. DiGiorgio
Jeanne M. DiGiorgio
Reg. No. 41,710

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Irwin J. Griffith et al.

Serial No.: 08/737,904

Filed: November 20, 1996

For: T CELL EPITOPES OF RYEGRASS POLLEN
ALLERGEN

Attorney Docket No.: IMI-040CP3 (075.1 US)

Group Art Unit: 1644

Examiner: R. Schwadron



Assistant Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

24 Sept 99
Date of Signature and of Mail Deposit

By:

Jeanne M. DiGiorgio
Reg. No. 41,710
Attorney for Applicant

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES**

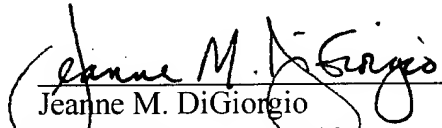
Dear Sir:

Responsive to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures" and the Examiner's Communication, dated August 24, 1999 (a copy of both of which is attached herewith), Applicants have amended the Sequence Listing submitted on January 6, 1998 to contain the amino acid sequence shown in Figure 16, to comply with the new sequence rules, and to provide a copy of the sequence listing in computer readable form.

A paper copy of the corrected Sequence Listing and a computer readable form of the sequence listing (diskette), which is identical in substance to the paper copy of the Sequence Listing, in accordance with 37 C.F.R. §1.821(c) and (e), are also submitted herewith.

No new matter has been added to the application. Accordingly it is respectfully requested that the above amendments be entered.

Respectfully submitted,


Jeanne M. DiGiorgio
Registration No. 41,710
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109

Dated: September 24, 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Irwin J. Griffith et al.

Serial No.: 08/737,904

Filed: November 20, 1996

For: T CELL EPITOPES OF RYEGRASS POLLEN
ALLERGEN

Attorney Docket No.: IMI-040CP3 (071.1US)

BOX SEQUENCE

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Group Art Unit: 1644

Examiner: R. Schwadron

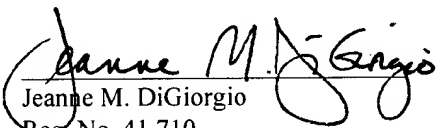


Certificate of First Class Mailing (37 CFR 1.8(a))

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24 Sept 99
Date of Signature and of Mail Deposit

By:


Jeanne M. DiGiorgio
Reg. No. 41,710
Attorney for Applicant

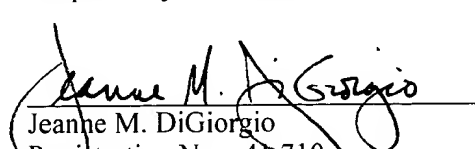
TRANSMITTAL LETTER FOR DISKETTE OF SEQUENCE LISTING

Dear Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures, and the Examiner's Communication dated August 24, 1999, we enclose a diskette which contains a computer readable form of the Sequence Listing for the above-identified application.

Substitute pages 47 - 66 are submitted herewith. The material on the enclosed diskette is identical in substance to the enclosed sequence listing. The computer readable form of the Sequence Listing contained on the enclosed diskette is understood to comply with the requirements of §§ 1.821-1.825. No new matter has been added.

Respectfully submitted,


Jeanne M. DiGiorgio
Registration No. 41,710
Attorney for Applicants

Dated: September 24, 1999



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.



EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). **A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reason(s) set forth on the attached CRF Diskette Problem Report.**

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800

1600

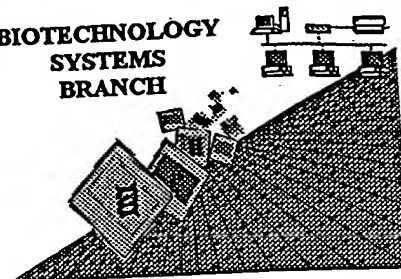
Ron Schwadron, Ph.D.
August 23, 1999

Schwadron

1644

CRF Diskette Problem Report

BIOTECHNOLOGY
SYSTEMS
BRANCH



The Scientific and Technical Information Center (STIC) experienced a problem when processing the following CRF diskette:

Application Serial Number:

08/737,904B

Filing Date:

11/20/96

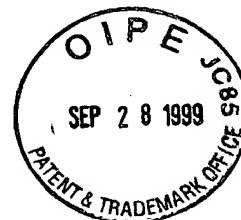
Classification:

536

Date Processed by STIC:

8/6/99

Point-of-Contact/Telephone No.: Mark Spencer 703 - 308 - 4212



Nature of Problem:

The diskette was:

☐ Damaged

☐ Unreadable

☒ Blank (no files present on diskette)

☐ Contained an empty file (filename present, but no bytes in file)

☐ A computer virus was detected on the diskette. The STIC will not process the diskette through the Data Capture System.

Name of virus: _____

☐ The Sequence Listing was not saved in ASCII (DOS) text.

☐ The diskette contained an error that disrupted normal processing:

08/737,904B

>DIR

Volume in drive A has no label
Directory of A:\

File not found

onscreen message when STIC PC tried to read
submitted disk

1,457,664 bytes free

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

